

PLANNING AND ZONING BOARD
JANUARY 8, 2003

1. ROLL CALL

The meeting was called to order at 7:04 p.m. Board members present were Chair George Greb, Vice-Chair Mike Bender, Casey Lee, Mimi Turin and Bob Waitkus. Also present were Town Attorney Monroe Kiar, Planner Deborah Ross and Board Secretary Janet Gale recording the meeting.

2. APPROVAL OF MINUTES: December 11, 2002

Vice-Chair Bender made a motion, seconded by Ms. Turin, to approve the minutes of December 11, 2002. In a voice vote, all voted in favor. **(Motion carried 5-0)**

3. PLAT

3.1 P 9-2-02, Shot Gun East, north of Orange Drive, east of I-75 (A-1)

Gladys DiGirolamo, representing the petitioner, was present. Ms. Ross read the planning report (Planning and Zoning Division's recommendation: suitable for consideration).

Chair Greb inquired on the size of the archaeological site. Ms. DiGirolamo indicated that it was .47 acre and she pointed out the location.

Vice-Chair Bender made a motion, seconded by Ms. Lee, to approve subject to the Deed Restriction recommended by the Town Council. In a roll call vote, the vote was as follows: Chair Greb - yes; Vice-Chair Bender - yes; Ms. Lee - yes; Ms. Turin - yes; Mr. Waitkus - yes. **(Motion carried 5-0)**

4. PUBLIC HEARINGS

Variance

4.1 V 10-6-02, AutoNation, Inc./MS&S Toyota, Inc., 4050 Weston Road (BP) **(tabled from December 11, 2002)**

Stephanie Toothaker-Walker, representing the petitioner, was present. Ms. Ross read the planning report to which corrections were made (Planning and Zoning Division's recommendation: suitable for consideration).

Using several graphics, Ms. Toothaker-Walker explained her justification for the variance requests. Board members stated their observations on the functionality of the present signage and expressed their concerns regarding the impact of this request.

Chair Greb asked if anyone wished to speak for or against this item.

Jay Stahl, 8228 NW 9 Court, provided background information as former Chair of this Board and explained why he was opposed to this request.

As there were no other speakers, the public hearing was closed.

Chair Greb asked if the Board wanted to deal with each request separately or as one item. This proposal was briefly considered.

Ms. Lee made a motion, seconded by Ms. Turin, to address the variance as one item. In a voice vote, all voted in favor. **(Motion carried 5-0)**

Ms. Lee made a motion, seconded by Mr. Waitkus, to deny. In a roll call vote, the vote was as follows: Chair Greb - yes; Vice-Chair Bender - yes; Ms. Lee - yes; Ms. Turin - yes; Mr. Waitkus - yes. **(Motion carried 5-0)**

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Special Permit

4.2 SE 9-1-02, Verizon Wireless/Crown Castle Communications, 15400 Slydgemill Road (U) **(tabled from December 11, 2002)**

Upon Chair Greb's request, Ms. Ross explained the underlying principle for the request to table to February 12, 2003. A brief discussion ensued regarding the Board's options and procedures.

Mr. Waitkus made a motion, seconded by Ms. Turin, to table to February 12, 2003. In a voice vote, all voted in favor. **(Motion carried 5-0)**

Items to be Tabled

STAFF REQUESTING A TABLING TO FEBRUARY 12, 2003

4.3 ZB 12-3-02, Town of Davie, 14501 Orange Drive (from A-1 to SC)

Vice-Chair Bender asked if items 4.3 and 4.4 were under litigation. Ms. Ross responded affirmatively and explained that this rezoning request had been initiated by the Town. Chair Greb inquired about the Suburban Commercial (SC) zoning category and Ms. Ross read the intent of this district.

Vice-Chair Bender expressed his discomfort with hearing these items and inquired on the noticing procedure. Mr. Kiar indicated that although he could not address pending litigation at this time, he presumed that on the date of the tabling request, staff would provide the proper background as to why this item was being moved forward. Mr. Kiar summarized the litigation which had taken place and acknowledged that the matter was pending. It had been noted that the property owner had submitted a B-3 rezoning request and that SC was a much less intensive zoning district. Mr. Kiar reiterated and Ms. Ross concurred, that this was an administrative rezoning request to a less intensive commercial use on each property. At Chair Greb's request, Ms. Ross specified examples of the uses which were permitted in the SC category.

As a point of information and responding to Vice-Chair Bender's earlier inquiry regarding notices, Ms. Gale informed the Board that one of the two returned notices had been addressed to the Imagination Farms Homeowners' Association. Vice-Chair Bender advised that Imagination Farms Homeowners' Association had been turned over to the homeowners by the builder. He inquired about the signage notices posted on the property and Ms. Ross assured that the signage had been updated.

Vice-Chair Bender made a motion, seconded by Mr. Waitkus, to table to February 12, 2003. In a voice vote, all voted in favor. **(Motion carried 5-0)**

4.4 ZB 12-4-02, Town of Davie, 14901 Orange Drive (from A-1 to B-2)

Vice-Chair Bender made a motion, seconded by Ms. Turin, to table to February 12, 2003. In a voice vote, all voted in favor. **(Motion carried 5-0)**

5. OLD BUSINESS

Chair Greb reiterated his request to be informed if Council had adopted any recommendations which had been made by the Board at previous meetings. An example he referenced was the ordinance pertaining to a Code amendment regarding permitted uses

involving vehicle sales and rentals in which the Board had recommended that there be a distance of 1,500 feet separating those establishments.

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Ms. Ross indicated that she would check on the status of the recommendation and report back to the Board.

6. NEW BUSINESS

Mr. Waitkus distributed literature regarding a governmental, non-profit agency which helped limit urban sprawl by purchasing easements in certain farm lands. He believed that this Board and Councilmembers would be interested in the information and that was why he provided it.

7. COMMENTS AND/OR SUGGESTIONS

Vice-Chair Bender announced that he had qualified as a candidate for mayor and that the incumbent, Harry Venis, had decided to retire.

8. ADJOURNMENT

As there was no further business and no objections, the meeting was adjourned at 8:20 p.m.

Date Approved _____

Chair/Board Member